

REMARKS/ARGUMENTS

Claims 1-9, 11-19, and 21-28 are pending in the application.

Claims 11-13, 21-23, 27, and 28 stand allowed. Applicants appreciate the Examiner's notification of allowable subject matter.

Claims 1-9, 14-19, and 24-26 stand rejected.

In this paper, claims 2-4, 7, and 24 have been amended. Claims 1, 5, 6, and 14-19 have been cancelled without prejudice.

Applicants believe the amendments made herein add no new matter. Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto. Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

Claim Rejections - 35 U.S.C. §102(b)

Claims 1-9 and 14-16 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,179,428 to Krass. The rejection is traversed.

Claims 1, 5, 6, and 14-16 have been cancelled without prejudice. Thus, the rejection is moot as to claims 1, 5, 6, and 14-16. Applicants request withdrawal of the rejection of claims 1, 5, 6, and 14-16.

Claims 2 and 3 have been amended to change their dependency from claim 1 to claim 28, which stands allowed. Thus, claims 2 and 3 are allowable. Through amendment, claims 4 and 7-9 depend from claim 27, which stands allowed. Thus, claims 4 and 7-9 are allowable. Applicants request withdrawal of the rejection, and the allowance of claims 2-4 and 7-9.

Claims 17-19 and 24-26 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,626,084 to Kumai. The rejection is traversed.

Claims 17-19 have been cancelled without prejudice. Thus, the rejection is moot as to claims 17-19. Applicants request withdrawal of the rejection of claims 17-19.

Claim 24 has been amended and calls for a vehicular rearview mirror assembly, comprising a base assembly, and at least one support arm. The base assembly comprises a base frame for mounting the rearview mirror assembly to a vehicle. The at least one support arm is adapted for supporting a reflective element assembly, and is pivotably connected to the base frame for selectively folding the reflective element assembly against the vehicle. The reflective element assembly is moveably attached to the support arm for substantially unimpeded extension of the reflective element assembly away from the vehicle. The base frame comprises a pair of parallel spaced-apart flanges.

The Examiner has stated that the reason for the indication of allowable subject matter relative to claims 11-13, 21-23, 27, and 28 is that the prior art does not teach or reasonably suggest the base frame with parallel spaced-apart flanges. Since amended claim 24 now calls for a base frame with parallel spaced-apart flanges, amended claim 24 is allowable.

Claims 25 and 26 depend from amended claim 24, and for the same reasons are allowable. Applicants request withdrawal of the rejection, and the allowance of claims 24-26.

It is respectfully submitted that all of the claims in the application are allowable over the prior art of record. Prompt notification of allowability is respectfully requested.

Respectfully submitted,
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